

# **Sutter County Pesticide Enforcement Workplan FY's 10/11-12/13**



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## **A. Restricted Materials Permitting**

### **Permit Evaluation-Process Evaluation and Improvement Planning**

#### **Permit Evaluation:**

Permits for restricted materials are issued to the operator of the property to be treated. They are signed by the permittee or documented representative (Title 3 California Code of Regulations (3CCR), Section 6420). They are issued for a period of one year or less. Perennial crops may be issued for a maximum of three years. Restricted Materials Permits (RMP) are recorded on an approved form (PR ENF-125). Permits for Restricted Materials are site and time specific based on the filing of a Notice of Intent (NOI) as per 3CCR, Section 6434. NOI's are recorded in an electronic database and include required information such as date of intended application, method of application including dilution, volume per acre, dosage and name of pest control business. Sutter County has four enforcement districts and NOI's are sorted by district and routed to the appropriate enforcement staff for evaluation. NOI's are submitted at least 24 hours prior to start of the application. NOI's with less than 24 hour prior notice are approved when certified staff determines, due to the nature of commodity or pest problem, effective control cannot be obtained or it is determined 24 hours are not necessary to adequately evaluate the intended application. This determination is noted on the RMP or NOI log sheet.

Pest Control Advisors and growers indicate they have considered feasible, reasonable, and effective mitigation measures when using pesticides that require permits. Permit applications are documented on an approved form with all applicable required information (3CCR, Section 6428) and are completed by certified staff. Non Ag permit applications are documented on an approved form with all applicable required information (3CCR, Section 6430) completed by certified staff.

Permits are evaluated at the time of issuance by certified staff to determine if a substantial adverse environmental impact may result from the use of a restricted material listed on the permit. The permit is evaluated again for possible adverse impacts at the time a Notice of Intent is received for the use of a restricted material. Sutter County has developed and an extensive geo-database of permitted sites using ArcView Geographic Information System (GIS) to help evaluate environmental concerns for all sites identified on permits. Sites that are located near sensitive areas such as schools, daycare centers, wildlife areas, waterways and any other sensitive areas are mapped and feasible alternatives to restricted pesticides are considered and implemented as necessary. A permit or NOI may be denied or conditioned recognizing and utilizing appropriate mitigation measures near sensitive areas, such as Propanil near prunes, or when pesticides of special concern such as Regiment and Clincher are used. Various mitigation measures may be considered based on knowledge of local conditions, pest management guidelines, pesticide safety information series, locally developed permit conditions, applicable laws and regulations (including 3 CCR, Sections 6443 and 6450 through 649\89), and a county check off list identifying various mitigations measures and restrictions within the county.

## I. RESOURCES

### A. County Resources:

- Sutter County devoted 7.9 positions (16,493 man-hours) in the 06/07 fiscal year to the Pesticide Use Enforcement (PUE) Program.
- Asset Allocations – at this time will be equal to the 06/07 FY.
- Workload expectations - will be equal to our 06/07 work plan. –
- Workload expectations include: Issuance of 1289 Restricted Materials permits for Ag. Use and 47 Restricted Materials permits for Non-Ag. Use.
- GIS mapping – permit site accuracy review for all site changes.

### B. Permit Guidance:

- All biologists issuing permits are certified in Pesticide Use Enforcement and Environmental Monitoring.
- Training in permit issuance is performed on several levels. State training is utilized when available. The Deputy Ag. Commissioner continuously trains and updates biologists on permit issuance as outlined in the Reference Manual for Restricted Materials Permits and Manual of Procedural Guidance. The Department of Pesticide Regulation (DPR) Enforcement Branch Liaison (EBL) reviews permits during the evaluation process for inaccuracies and omissions. The Deputy Ag. Commissioner addresses these inaccuracies during training sessions, staff meetings and individually with issuing biologists. The Deputy Ag. Commissioner trains biologists using established procedures, forms and documents prepared by both the state and county. The biologists use a check list developed by the county to assure all documents are provided and issues addressed with the permittee. All documents related to the issuance of permits are reviewed and updated yearly as needed.

### C. Corrective Actions:

- No corrective actions were identified by DPR in the FY 06/07 Effectiveness Evaluation.
- Areas for possible review are: non-compliance history documentation and inspection follow-up.

### D. The Goal of Sutter County is to improve the business processes associated with the evaluation and issuance of restricted material permits and review of that process for areas of refinement and/or improvement as identified in the permit evaluation process above.

### E. Deliverables:

- Ensure that DPR's RMP guidelines are followed during permit issuance to ensure California Environmental Quality Act (CEQA) equivalency.
- Evaluate permits for adverse environmental impacts.
- Approve, deny or condition permits as necessary.

- Secondary review of RMP's for completeness and accuracy by the PUE Secretary and Deputy on an ongoing basis.
- In FY 07/08 Sutter County will acquire and implement the AgGis 3.0 permitting program. Allowing greater portability, permitting and mapping functionality and enforcement evaluation.
- Evaluate permitting process yearly for deficiencies.
- Review permits, non-compliances, Pesticide Regulatory Activities Report (Report 5) data, discuss with certificated staff and DPR Senior.
- Address identified problem areas with training, timelines and follow-up reviews. Develop a plan of action to address any identified deficiencies or areas of concern.

#### F. Measure of Success:

Due to widespread drift incidences Regiment® and Clincher® herbicides were restricted to ground application only in Sutter County for 2005. Additionally all restrictions outlined in the FAC and 3CCR that apply to the use of restricted materials were applied to the use of Regiment® and Clincher®. These restrictions were effective in that there were no drift incidences with these pesticides in the 05/06 or 06/07 fiscal years.

In the 05/06 fiscal year we identified that there is a lack of growers knowledge regarding minimal exposure pesticides and pesticides with extended restricted entry intervals. In the 06/07 fiscal year we proactively addressed these issues with growers during our annual permitting process. Restricted entry interval violations dropped from four in the 05/06 fiscal year to one in the 06/07 fiscal year

#### Site Monitoring Plan

Certified staff will monitor permits as required in 3CCR, Section 6436. A minimum of five percent of the sites identified in NOI's for proposed applications will have a pre-application site inspection conducted. Monitoring will include evaluation of the basis for the intended application including the written recommendation, if any, toxicity of material and environmental concerns (endangered species habitat, buffer zone areas, ground water protection areas, problem areas identified from previous years, Section 18 uses, etc.). All restricted materials applications by Non-Ag permit holders are inspected once a year. Permit holders with recorded non-compliances will be monitored more frequently. A non-compliance database is compiled and copies of grower non-compliances are placed in permit files to address non-compliance history at the time of permit issuance and possible increased monitoring needs.

Once a NOI is received the following parameters are evaluated:

- Pesticides to be applied
- Grower compliance history
- PCA Recommendation
- Applicator

- Application Method
- Weather Conditions
- Crop to be treated
- Surrounding Environment

Each NOI is reviewed to ensure:

- A valid RMP was issued for the material to be applied to the intended site.
- Crop or application site is allowed by label/Section 18/permit conditions.
- Method of application is allowed by pesticide label & permit conditions.
- Dilution/volume/rate per acre is consistent with label requirements.
- The surrounding environment will not be adversely impacted by the application.

The following parameters of a proposed application are considered when making decisions as to monitoring activities:

#### Pesticide to Be Applied

\*Materials with potential to cause adverse health effects

- Fumigants
- Minimal Exposure Pesticides
- “Danger” labeled pesticides
- Pesticides applied under the definition of an “Agricultural Emergency”

\*Considerations

- Label and permit conditions
- Applicator
- Field workers
- Preharvest intervals
- Impacts on persons not involved with application
- Schools, Day Care
- Hospitals
- Residences

- Livestock

- Grazing
- Feedlots
- Water sources
- Sensitivity to pesticide

- Materials having the potential to cause adverse environmental impacts

- Drift/volatilization potential

- Ground water contaminants
- Materials such as Diazinon that have been found to exceed
- Established Total Maximum Daily Limits within the Feather River watershed

- Environmental considerations

- Water bodies, streams, lakes, ponds, drainage ditches
- Ground water protection areas
- Well head protection
- Endangered/Threatened species habitat
- Wildlife management areas
- Sensitive crops/plantings
- Potential for drift/volatilization

### Application Methods

- Application equipment suitable to ensure proper application of pesticide

- Higher Risk

- Airplane
- Helicopter
- Airboat
- Ground
  - Fumigation
  - Air Blast Sprayers
  - High Pressure equipment with hand held nozzles

- Lower Risk

- Boom sprayers
- Backpack sprayers
- Hand held equipment
- Spreaders

### Weather Conditions

- Winds
- Temperature
- Inversions
- Rain
- Fog

### Crop

- Allowed by pesticide labeling/emergency exemption/UC recommendation

- Potential for phytotoxic effects
- Protection of foraging bees

#### Surrounding Environment

- Occupied dwellings
- Plantings sensitive to pesticide
- Water Bodies
- Wellheads
- Roadways
- Bus Stops

#### Grower – Property Operator

- Compliance history
- Label requirements
- Permit conditions
- Supervision of applications
- Posting

#### Pest Control Adviser Recommendations

- Compliance history
- Site listed on permit
- Chemical listed on permit
- Commodity listed on the label
- Identification of hazards known to exist
- Consideration of alternatives/mitigation measures
- Identification of Hazards to human health or the environment
- Proper dilution & application rates
- Proper application method recommended

Due to the conditions placed on the use of Clincher® and Regiment® in Sutter County increased monitoring of the use of these pesticides has been a high priority. Starting in 1999 and up to 2004 Sutter County has been experiencing problems with certain pesticides registered as reduced-risk pesticides. In the cases of Clincher® and Regiment® these chemicals have created unforeseen problems with non-target crops. The problems created by these reduced-risk pesticides have dramatically increased the Sutter County PUE workload. The county restrictions placed on these chemicals have effectively mitigated damage to non-target crops in the subsequent years. We will continue to restrict and monitor use of these pesticides.

Sutter County has a large Agricultural/Urban interface due to cropping patterns and ongoing residential development. Offsite pesticide movement has been an ongoing issue of prime concern in Sutter County. We are striving to minimize these occurrences through education and outreach



to pesticide applicators during our biannual outreach meetings. Additionally enforcement action is taken in all instances where drift has been substantiated.

## **B. Compliance Monitoring**

### **Comprehensive Inspection Plan**

Sutter County's inspection program evaluation reveals that 15% of our inspections are scheduled. These primarily include grower headquarter safety inspections and commodity fumigations. Targeted inspections comprise 25% of our inspection workload. These inspections activities are prioritized by chemical hazard, environmental concerns and applicator compliance history. The remaining 60% of our inspection activities are more random and focus on general applications during periods of increased pesticide usage, for example during dormant applications, bloom spray periods and rice pesticide application.

Analysis of our inspection activities during the 05/06 and 06/07 fiscal years shows that the majority of non-compliances for Pesticide Use Monitoring Inspections were for violation of personal protective equipment required by the pesticide label and by regulation. Inspections of property operators revealed a higher non-compliance rate than pest control businesses. Similarly property operator headquarters safety inspections had a higher non-compliance rate than pest control businesses.

The following factors are considered when evaluating the priority for performing use-monitoring inspections:

#### **Applicator Compliance history**

- Employee's properly trained
- Hazard Communication provided
- Emergency medical care arranged & posted
- Coveralls provided & worn for "Danger" & "Warning" labeled materials
- Required Personal Protective Equipment (PPE) provided, in good condition & worn
- Decontamination facilities are provided, complete & used by employee
- Change area provided
- Application equipment safe, well maintained & meets regulatory requirements
- Compliance with minimum exposure use requirements

#### **\*Production Ag**

- Contact when working alone with "Danger" materials
- Closed system provided & used when required
- Maximum work hours complied with for field fumigation

#### **\*Commodity Fumigation**

- 2 employees present when required for enclosed space fumigation

- Compliance with restrictions for entering fumigated enclosed spaces

**\*Structural**

- Employee holds license in proper category
- Fumigation worker safety requirements met

**\*Pest Control Business**

- Valid license in proper category registered with the County Agricultural Commissioner (CAC)
- Compliance History
  - General standards of care
  - Notice of applications
  - Protection of persons, animals & property
  - Worker safety
  - Container control, transportation & labeling requirements
  - Recommendation & use permit requirements
  - Pest control records & reports

**\*Farm Labor Contractor**

- Compliance history
  - Registered with CAC
  - Providing proper notice
  - Has Hazard Communication Information (PSIS A-9) properly - completed & displayed at each worksite that meets definition of a treated field
  - Application specific information available from property operator
  - Employees properly trained
  - Emergency medical care planned for & employees informed
  - Decontamination facilities complete and available
  - Restricted Entry Interval requirements complied with

In review our current compliance monitoring program strengths are:

1. An effective targeted inspection plan utilizing the following components:
  - a) A comprehensive GIS site mapping program.
  - b) Automated Inspection and Reporting System (AIRS).
  - c) Computerized Notice of Intent logging and tracking program.
  - d) An up to date non-compliance tracking database.
2. Enforcement districts are assigned to biologists which allow them to become very knowledgeable regarding pesticide usage and cropping patterns in those areas.
3. Increased compliance monitoring activities at sites near areas identified to be environmentally sensitive such as schools, daycare centers and wildlife areas.
4. A scheduled inspection process that is effectively identifying non-compliances during property operator worker safety training and record keeping inspections.

Areas identified as needing improvement are:

1. Considering the number of non-compliances found during headquarters/employee safety inspections improvements need to be implemented to target problem areas.
2. Uniform enforcement implementation throughout the county enforcement districts.
3. Identification of growers with employees that handle pesticides during the permitting process.
4. Compliance with 100% pesticide use reporting for growers.

### Goals or Objectives

Sutter County PUE Divisions goal is to increase compliance with pesticide laws and regulations within Sutter County. Special focus will be placed on areas of non-compliance identified during property operator headquarters safety inspections.

### Deliverables

1. Increase the effectiveness of property operator headquarter/worker safety inspections by using the following parameters: 1/4<sup>th</sup> of the headquarters inspections will be generated from applications inspection follow ups when worker safety violations are identified. Personal protective equipment violations and scenarios indicating inadequate training of employees will trigger a follow up headquarters inspection within 30 days of the original application inspection date. When possible the Enforcement Branch Liaison will be involved in follow up headquarters inspections generated due to non-compliances found during DPR oversight inspections.
2. Management will perform two (2) “oversight inspections” for each enforcement biologist each fiscal year. These will be in addition to any oversight inspections performed by the Enforcement Branch Liaison.
3. Improvement in identifying growers with employees that handle pesticides through:
  - a. Thorough interview protocols.
  - b. Analysis of permit parameters that indicate the probability of employees that handle pesticides.
4. Full use reporting audit of all pesticide purchases in conjunction during headquarters/employee safety inspections.

Based on our inspection program evaluation the following inspection goals were determined:

<b>PRE-APPLICATION</b>	5%
<b>MIX &amp; LOAD</b>	
<b>PROPERTY</b>	
<b>OPERATOR</b>	80
<b>BUSINESS</b>	40
<b>HEADQUARTERS EMPLOYEE</b>	
<b>SAFETY</b>	
<b>PROPERTY</b>	
<b>OPERATOR</b>	50
<b>BUSINESS</b>	6
<b>STRUCTURAL</b>	6
<b>APPLICATION</b>	
<b>GROWERS</b>	120
<b>BUSINESS</b>	40
<b>STRUCTURAL</b>	
<b>BRANCH I</b>	3
<b>BRANCH 2</b>	20
<b>COMMODITY</b>	10
<b>FIELD FUMIGATION</b>	12
<b>FIELD WORKER</b>	
<b>SAFETY</b>	30
<b>BUSINESS RECORDS</b>	
<b>PEST CONTROL</b>	4
<b>DEALER</b>	2
<b>ADVISER</b>	2
<b>WATER HOLD</b>	200

Completion of Use Monitoring Inspection Form #104/#108 For **ALL** Non-Agricultural Restricted Material Applications Investigations: Human & Environmental Effects, Property Loss Etc. 100%

The inspection target numbers above remain static for the 07/08-09/10 fiscal years. The exception being rice water hold inspections where the number will decrease due to the phase out

of Ordram causing a decrease in the number of fields treated. These numbers will be re-evaluated each fiscal year and may be modified upon agreement with the Enforcement Branch Liaison. An increased workload is also anticipated due to the implementation of the Enforcement Response Regulations which may result in more enforcement actions being taken and increased fines.

Targeted surveillance activities will be carried out during the Rice Pesticide Program as in past years. We will also perform targeted surveillance when needed as determined by environmental concerns and applicator compliance history. Targeted inspections will be used to most efficiently focus manpower on areas of the enforcement program to improve compliance within the County. Sutter County allowed Regiment® to be applied by air during the 2006 and 2007 rice season in a test area. The test area was successful in that there were no reported incidences of drift. Further expansion of the Regiment® air zone will require increased monitoring activities and is not anticipated for the 07/08 fiscal year.

The PUE Deputy will completely review all inspection reports and activities of the enforcement personnel. All non-compliances will be tracked and followed up on as required. Management will accompany enforcement staff during inspection activities throughout the year and perform “oversight” inspections to assess activities in the field and make changes as warranted to ensure an effective program.

Additionally Sutter County offers 3 outreach meetings to growers each year covering various enforcement topics. Continuing education hours are offered and topics of concern regarding enforcement issues within the county are discussed. We also provide for 3 training sessions per year for growers employee’s covering fieldworker and pesticide handler safety. These training sessions are provided in English, Spanish and Punjab.

### Measuring Success

The goal of a comprehensive inspection plan is to increase compliance. A decrease in non-compliances found can be an effective indicator of success if all other things are equal. Striving to increase the effectiveness of our compliance activities by further refining focused and targeted inspection schemes may in the short term, increase the number of non-compliances identified. A decrease in the number of non-compliances during the scope of the current Work Plan (07/08 to 09/10) may be a good measure of the effectiveness of our implemented program changes. A decrease in the incidences of pesticide drift within the County may be a better indicator of our program effectiveness.

Analysis of non-compliance levels between fiscal years 03/04 and 06/07 has varied with no clear trend. Pesticide use monitoring inspections performed on pest control businesses showed an average non-compliance rate of 4%. Pesticide use monitoring inspections performed on property owners showed an average non-compliance rate of 27%. Non-compliances found during property operator headquarters inspections averaged a 44% non-compliance rate. Incidences of substantiated pesticide drift cases dropped from 4 in 05/06 to 2 in 06/07. Further analysis is needed during the scope of the 07/08-09/10 Work Plan to determine if a downward trend has been established.

In the 06/07 fiscal year overall non-compliance rates rose due to the following implemented program changes:

1. Enforcement districts were reassigned.
2. Increased oversight inspections by management.
3. Focused use reporting audits during grower headquarters inspections.

### **Investigation Response and Reporting Improvement**

The Sutter County Pesticide Division received one illness episode notification for the 06/07 fiscal year. The investigation was completed and submitted to WHS within 30 days.

The current investigation response process strengths are:

1. Timely initiation and completion of investigations.
2. Episode notification tracking.

Areas identified as needing improvement are:

1. Areas needing improvement will be determined by the DPR Enforcement Branch Liaison and Deputy Agricultural Commissioner as they are identified.

### **Goal or Objective**

- Timely initiation and completion of all priority and non-priority investigations.
  - Start priority episode investigations within 2 working days of receiving
  - Submit preliminary update on priority investigation to DPR within 15 days
  - Complete all investigative reports within 90 days
- Development and use of investigation plan
  - Use elements of violation analysis in Hearing Officer Handbook
  - Make sure the plan includes at a minimum the following:
    - List the suspected violations by element
    - List persons who need to be interviewed
    - List type of samples to collect
    - List other evidence necessary: RMP, NOI, PUR, training records, diagrams, photos
    - List probable inspection activities
    - Summarize the findings of fact to date, and planned activities
    - List of persons who need to be provided with periodic updates
    - Address agreements with other agencies and legal mandates
- Thorough report preparation.
  - Follow worksheet
  - Use standard narrative format.
  - Attach supporting documentation and evidence

## Deliverables

- Develop an Investigative response plan for each episode notification
- Tracking system for assuring episode notifications and investigations are completed in a timely manner
- Annual staff training in investigative techniques
- Comprehensive review of all reports by the PUE Deputy prior to submission to DPR
- Review and refine the tracking system as necessary
- Review and refine the investigation worksheet as necessary
- Review the number of returned/incomplete inspections
- Review enforcement actions and refine the protocol as necessary
- Review repeat violations/non-compliances
- Review reversed decisions by appeals
- Maintain a log of all investigations and make it available to the Department of Pesticide Regulation Enforcement Branch Liaison.

## Considerations:

- Episode Notification
- Jurisdiction
- Investigation Plan
- Investigation Objectives and Procedures
- Evidence Collection
- Investigation Report
- Timely Submission of Episode Investigation Report
- Disposition of the Episode

## Episode Notification

Types of episode notifications that trigger an investigation:

- Pesticide Illness Report (PIR)
- Doctor's First Report of Occupational Injury or Illness (DFROII)
- Citizen or Employee complaint of Human Exposure or Unsafe Condition
- Other government agency referrals
- PCBs, growers, labor contractors
- Report of Loss, Nonperformance or Damage
- News media account
- Review WHS letter 01-05 Investigation Reports from California Poison Control Center

CAC designee responsible for:

- Receiving the episode notification..... PUE Deputy
- Conducting investigation/preparing report.....PUE Biologists
- Reviewing investigation report.....PUE Deputy
- Approving investigation report.....PUE Deputy/ Ag. Commissioner
- Forwarding completed report to DPR.....PUE Secretary

\*\*\*\*Complaints—all complaints are investigated, CAC determines extent based on resources and other priorities:

- Citizen complaints
- Employee complaints

Formal complaints require investigation to begin within 3 working days.  
Informal complaints will be investigated as appropriate.

Environmental Effects Episodes:

- Illegal Residue Detection
- Fish and Wildlife Effects
- Emergency Hazardous Material Incidents

Property Damage or Loss  
Drift Review: ENF letter 00-34 Drift Policy

**\*All Investigations will be handled according to the procedures outlined in the Pesticide Use Enforcement Standards Compendium, Volume V, Investigation Procedures.**

### Measure Success

Success will be measured according to the reduction in number of returned and/or incomplete investigations. Timeliness of investigation completion and submission will also be used as a factor in measuring the success of this program.

The Sutter County Pesticide Division received one illness episode notification for the 06/07 fiscal year. The investigation was completed and submitted to WHS within 30 days.

## **C. Enforcement Response**

### **Enforcement Response Evaluation**

#### Current Enforcement Response Practices

Inspections and investigations (pesticide illness investigations & complaints) are reviewed by the Deputy Ag. Commissioner.



The biologist meets with the PUE Deputy to discuss the inspection or investigation and compliance history sheet for the company or grower. The non-compliance is reviewed by the inspector and the deputy with input from the other inspectors. Sutter County follows the DPR Enforcement guidelines in determining actions to be taken.

The decision as to the appropriate action is made by the Deputy with input from any inspector that has information that is pertinent to that action.

The investigation or inspection is reviewed to ensure that adequate evidence is present to prove any cited violations. If the evidence is inadequate to prove the violation, the case is returned to the inspector for further investigation or if inadequate evidence is available, the case is returned to the inspector to write a justification as to why we are not taking any type of enforcement response relating to the non-compliance. All non-compliances are addressed and actions taken are documented.

Compliance and enforcement actions are written by the inspectors. The action is then reviewed by the PUE Deputy and reviewed and signed by the Agricultural Commissioner.

If a civil penalty action is taken, the fine guidelines are followed within the appropriate fine range. In the case the fine is set lower than the fine guidelines a justification is written into the action. In most cases Notices of Proposed Actions are delivered to the respondent within 90 days of the inspection or completion of investigation. The PUE Division secretary is responsible for maintaining a log of all compliance and enforcement actions: status, certified mailing, etc.

### Program Strengths

Fully documented program and practices that result in a timely response to non-compliances.

Codified enforcement action guidelines ensure even handed enforcement actions for similar violations throughout the county.

Involvement of PUE biologists when deciding actions helps to address all mitigating factors prior to taking an action and also results in more even and consistent enforcement.

Intensive review of the evidence by the deputy and biologists is conducted. The elements of each section violated are “proven” while developing enforcement actions. Elements identified that can not be proven are reviewed and lead to more complete investigations in the future.

Documentation and review of all non-compliances is essential and lends to the transparency of our program. This helps make the program understandable to the public and assists during oversight activities conducted by DPR.

## Areas Needing Improvement

Areas needing improvement will be determined by the DPR Enforcement Branch Liaison and Deputy Agricultural Commissioner as they are identified.

## Goal or Objective

The goal of the enforcement response plan summarized above is to provide a prompt and fair response to identified non-compliances, resulting in increased compliance by the regulated community. The actions taken must be consistent and fair in order to maintain the respect of the regulated industry as well as maintaining the integrity of the Agricultural Commissioners Office.

## Deliverables

- Consideration of all appropriate enforcement options
  - Application of the Enforcement Guidelines
  - Use of Citable Sections as resource
  - Application of the Fine Guidelines
- Timely response
  - Review of identified non-compliances by the deputy and biologists within 7 days.
  - Communication with respondent immediately regarding violations identified and probable enforcement response.
- Steps County undertakes to follow through on pending action
  - Deputy maintains a record of any outstanding non-compliances to ensure actions are decided on and carried out in a timely manner.

## Measure Success

The best measure of success of the enforcement response program is the improvement of compliance for those entities that have been subject to enforcement actions. We believe a continued firm enforcement response taken as appropriate will improve compliance throughout the county because of the expectation by industry that non-compliances will likely result in an enforcement action.

List of Applicable References:

Pesticide Episode Investigation Procedures Manual  
DPR/CACASA/EPA Cooperative Agreement  
MOU DFG/DPR/CACASA (Pesticide Wildlife Incident Response Plan)  
ENF letters  
    03-44 Non Occupational Incidents  
    01-20 Priority Investigations  
    00-34 Drift Policy  
    94-16 Antimicrobials  
    94-41 Antimicrobials  
WHS letters  
    03-06 WHS Responsibilities and Priorities etc.  
    01-05 Investigation Reports from California Poison Control Center  
    94-5 Agricultural Fatalities-Sampling  
Investigative Sampling Manual  
Laws and Regs  
    Food and Agriculture Code  
    Title 3, California Code of Regulations  
    FIFRA  
    40CFR-Parts 150-189  
    Fish and Game Code-Sections 1301,1600,1700,1802,1900,2000,2701  
    Title 14, California Code of Regulations  
    Migratory Bird Treaty Act  
    Endangered Species Act  
        Natural Diversity Database  
        County Bulletins  
        Pollution Response Manual